

EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

-----X
DENISE SWEENEY,

Plaintiff,

-against-

LOWE'S HOME CENTERS, LLC,

Defendant.
-----X

Index No.:

Filing Date:

SUMMONS

Plaintiff designates
Suffolk County as
the place of trial

The basis of venue is
Plaintiff's Residence

Plaintiff resides at:
3 Hileen Drive
Kings Park, New York 11754


To the above-named Defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Melville, New York
August 14, 2020

Defendant's address:

LOWE'S HOME CENTERS, LLC
C/O Corporation Service Company
80 State Street
Albany, NY 12207-2543



BY: **JOSEPH M. SORCE, ESQ.**
BRAGOLI & ASSOCIATES, P.C.
Attorneys for Plaintiff
DENISE SWEENEY
300 Broadhollow Road, Suite 100W
Melville, NY 11747
(631) 423-7755

SUPREME COURT OF THE STATE OF NEW YORK
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**VERIFIED
COMPLAINT**

PLAINTIFF, by her attorneys, **BRAGOLI & ASSOCIATES, P.C.**, complaining of the Defendant herein, hereby allege upon information and belief, the following:

1. That at all times hereinafter mentioned, Plaintiff, **DENISE SWEENEY**, is a resident of the County of Suffolk, State of New York.
2. That at all times hereinafter mentioned, Plaintiff, **DENISE SWEENEY**, maintains a residence at 2 Hileen Drive, Kings Park, New York 11754.
3. That at all times herein mentioned, Defendant, **LOWE'S HOME CENTERS, LLC**, was, and still is, a foreign limited liability company corporation duly organized and existing under and by virtue of the laws of the State of New York.
4. That at all times herein mentioned, Defendant, **LOWE'S HOME CENTERS, LLC**, was, and still is, a foreign limited liability company corporation authorized to do business in the State of New York.
5. That at all times herein mentioned, the Defendant, **LOWE'S HOME CENTERS, LLC**, was, and still is, a domestic limited liability company duly organized and existing under and by virtue of the laws of the State of New York.
6. That at all times herein mentioned, the Defendant, **LOWE'S HOME CENTERS**,

LLC, was, and still is, a foreign business corporation authorized to do business in the State of New York.

7. That at all times herein mentioned, the Defendant, **LOWE'S HOME CENTERS, LLC**, was the owner of the premises, located at 100 Long Island Expressway, in the Town of Smithtown, County of Suffolk, State of New York (hereinafter referred to as the "subject premises").

8. That at all times herein mentioned, the Defendant, **LOWE'S HOME CENTERS, LLC**, was the lessor of the subject premises.

9. That at all times herein mentioned, the Defendant, **LOWE'S HOME CENTERS, LLC**, was the lessee of the subject premises.

10. That at all times herein mentioned, the Defendant, **LOWE'S HOME CENTERS, LLC**, was the property manager of the subject premises.

11. That at all times herein mentioned, the Defendant, **LOWE'S HOME CENTERS, LLC**, its agents, servants and/or employees, were responsible for the subject premises.

12. That at all times hereinafter mentioned, Defendant **LOWE'S HOME CENTERS, LLC**, its agents, servants and/or employees maintained the subject premises.

13. That at all times hereinafter mentioned, Defendant, **LOWE'S HOME CENTERS, LLC**, its agents, servants and/or employees controlled the subject premises.

14. That at all times hereinafter mentioned, Defendant, **LOWE'S HOME CENTERS, LLC**, its agents, servants and/or employees operated the subject premises.

15. That at all times hereinafter mentioned, Defendant, **LOWE'S HOME CENTERS, LLC**, its agents, servants and/or employees managed the subject premises.

16. That at all times hereinafter mentioned, Defendant, **LOWE'S HOME**

CENTERS, LLC, its agents, servants and/or employees supervised the subject premises.

17. That at all times hereinafter mentioned, Defendant, **LOWE'S HOME CENTERS, LLC**, its agents, servants and/or employees inspected the subject premises.

18. That at all times hereinafter mentioned, Defendant, **LOWE'S HOME CENTERS, LLC**, its agents, servants and/or employees repaired the subject premises.

19. That at all times hereinafter mentioned, Defendant, **LOWE'S HOME CENTERS, LLC**, its agents, servants and/or employees had a duty to properly own, operate, manage, maintain, supervise, inspect, control and repair the subject premises.

20. That at all times hereinafter mentioned, Defendant, **LOWE'S HOME CENTERS, LLC**, its agents, servants and/or employees breached their duty to properly own, operate, manage, maintain, supervise, inspect, control and repair the subject premises.

21. That on or about May 5, 2018, Plaintiff, **DENISE SWEENEY**, was lawfully on the premises located at 100 Long Island Expressway, County of Suffolk, State of New York.

22. That on or about May 5, 2018, while Plaintiff, **DENISE SWEENEY**, was lawfully on the premises, when she was caused to be injured, as a result of a dangerous and hazardous condition.

23. The above-mentioned occurrence, and the results thereof, were caused by the negligence of the Defendant and/or said Defendant's agents, servants, employees and/or licensees in the ownership, operation, management, supervision, maintenance, control, inspection, repair and supervision of the subject premises.

24. That Defendant, **LOWE'S HOME CENTERS, LLC**, their agents, servants and/or employees were reckless, careless and negligent in the ownership, operation, management, maintenance, supervision, inspection, repair and control of the subject premises;

by permitting a dangerous and hazardous condition to exist so that it was dangerous for persons, in particular, this Plaintiff, **DENISE SWEENEY** by failing to keep the subject premises in a reasonably safe condition; in failing to remedy said condition; in failing to post warnings; in failing to keep the subject premises in a reasonably safe condition prior to, and including, May 5, 2018; in causing, creating, allowing and/or permitting a dangerous and hazardous condition; in failing to remedy said condition; in failing to warn the public at large and, in particular, the Plaintiff herein, of the dangers inherent therein which were likely to cause injury to the Plaintiff, **DENISE SWEENEY**; in failing to take reasonable steps, precautions and safeguards to keep the subject premises in a reasonably safe condition; in failing to post warnings, barriers and or signs to warn the public of the dangerous condition; in permitting the condition to exist for an unreasonable period of time; in failing to inspect, timely inspect and/or properly inspect the subject premises herein; and Defendant, its agents, servants and/or employees were otherwise reckless, careless and negligent in the ownership, operation, management, maintenance, supervision, inspection, repair and control of the subject premises.

25. That as a result of the foregoing, Plaintiff, **DENISE SWEENEY**, sustained certain severe personal injuries.

26. The aforesaid injuries sustained by Plaintiff, **DENISE SWEENEY**, were caused solely by reason of the negligence of the Defendant, and without any negligence or fault on the part of the Plaintiff contributing thereto.

27. That Defendant, **LOWE'S HOME CENTERS, LLC**, their agents, servants and/or employees had actual notice of the aforementioned dangerous and defective condition.

28. That Defendant, **LOWE'S HOME CENTERS, LLC**, their agents, servants and/or employees had constructive notice of the aforementioned dangerous and defective condition.

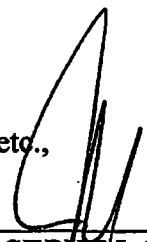
29. That as a result of the foregoing, Plaintiff, **DENISE SWEENEY**, sustained serious, severe and permanent injuries and was rendered sick, sore, lame, and disabled; Plaintiff, **DENISE SWEENEY**, was caused to suffer great physical pain, discomfort, and disability and will continue to suffer pain, discomfort, and disability in the future; Plaintiff, **DENISE SWEENEY**, was caused to undergo hospital and medical care, aid, and treatment, and may continue to undergo medical care, aid and treatment for a long period of time to come in the future; Plaintiff, **DENISE SWEENEY**, incurred large sums of expenses for medical care, aid, and attention; Plaintiff, **DENISE SWEENEY**, was further caused to become incapacitated from and hindered in the progress of her usual pursuits, duties, and activities and may continue to be hindered in her pursuits, duties and activities for a long period of time to come in the future.

30. That as a result of the foregoing, Plaintiff, **DENISE SWEENEY**, has been damaged in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, on the first cause of action, Plaintiff, **DENISE SWEENEY**, demands judgment against the Defendant, **LOWE'S HOME CENTERS, LLC**; together with the costs and disbursements of this action.

Dated: Melville, New York
August 14, 2020

Yours, etc.,

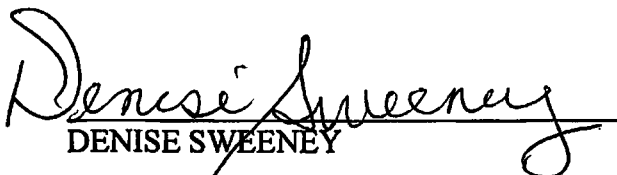


BY: **JOSEPH M. SORCE, ESQ.**
BRAGOLI & ASSOCIATES, P.C.
Attorneys for Plaintiff
DENISE SWEENEY
300 Broadhollow Road, Suite 100W
Melville, New York 11747
(631) 423-7755

VERIFICATION

STATE OF NEW YORK)
)
COUNTY OF SUFFOLK) ss.:

DENISE SWEENEY, being duly sworn states that he is Plaintiff in this action and that the foregoing COMPLAINT is true to his own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters, he believes them to be true.


DENISE SWEENEY

Sworn to me this the 14 day
of August, 2020.


NOTARY PUBLIC

Sheila Clare Barabino
NOTARY PUBLIC
NO. 01BA6404454
Comm. Expires 02/18/2024
Qualified in Suffolk County
STATE OF NEW YORK

SUPREME COURT OF THE STATE OF NEW YORK
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SUMMONS and VERIFIED COMPLAINT

BRAGOLI & ASSOCIATES, P.C.
Attorneys for the Plaintiff
DENISE SWEENEY
300 Broadhollow Road, Suite 100W
Melville, Suffolk 11747
(631) 423-7755

To:>
Attorney(s) for>

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

Sir: - Please take notice


that the within is a true copy of a
named court on

Dated:

duly entered in the office of the clerk of the within

Yours, etc.

Attorney signature pursuant to Sec. 130-1.1-a of the
Rules of the Chief Administrator (22NYCRR)



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